

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re: BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff,

Adv. Pro. No. 12-01210 (CGM)

Plaintiff,

v.

SCHRODER & CO. BANK AG,

Defendant.

**DECLARATION OF ROBERTSON D. BECKERLEGGE IN SUPPORT OF THE
TRUSTEE'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

I, Robertson D. Beckerlegge, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a partner with the law firm of Baker & Hostetler LLP, counsel for plaintiff Irving H. Picard, as trustee (the "Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the chapter 7 estate of Bernard L. Madoff.

2. I submit this declaration in support of the Trustee's Opposition to Defendant Schroder & Co. Bank AG's ("Schroder") Motion to Dismiss.

3. Attached hereto as Exhibit 1 in redacted form is a true and correct copy of the Fairfield Sentry Limited Subscription Agreement, purportedly signed by Schroder on June 28, 2006 (CFSSAO0001200 – CFSSAO0001211). The Trustee is in possession of an additional thirty-three Fairfield Sentry Limited and Fairfield Sigma Limited Subscription Agreements purportedly signed by Schroder, which are available upon request.

4. Attached hereto as Exhibit 2 in redacted form is a true and correct copy of the Fairfield Sentry Limited Private Placement Memorandum dated June 15, 2002 (FGGSAC0016079 – FGGSAC0016130).

5. Attached hereto as Exhibit 3 in redacted form is a true and correct copy of the Fairfield Sentry Limited Private Placement Memorandum dated August 14, 2006 (SECSEV0763358 – SECSEV0763418).

6. Attached hereto as Exhibit 4 in redacted form is a true and correct copy of the Fairfield Sigma Limited Information Memorandum dated October 29, 1999 (FGGSAC0016568 – FGGSAC0016606).

7. Attached hereto collectively as Exhibit 5 in redacted form is a true and correct copy of a Confirmation of Order Received from Schroder for subscription of shares in Fairfield Sentry Limited dated August 29, 2007 (ANWAR-CFSE-00410124); a true and correct copy of a Subscription Request, appearing to have been sent via facsimile, for subscription of shares in Fairfield Sentry Limited dated August 28, 2007 (ANWAR-CFSE-00410125); and a true and correct copy of the Fairfield Sentry Limited Short Form Subscription Agreement purportedly signed by Schroder on August 28, 2007 (ANWAR-CFSE-00410126 – ANWAR-CFSE-

00410127). These exhibits are part of a twelve-page document, which is attached hereto in its entirety.

8. Attached hereto as Exhibit 6 in redacted form is a true and correct copy of a Redemption Request appearing to have been sent via facsimile, for the redemption of shares in Fairfield Sentry Limited in favor of Schroder dated September 17, 2008 (CFSSAF0000905).

9. Attached hereto as Exhibit 7 in redacted form is a true and correct copy of a Redemption Request appearing to have been sent via facsimile, for the redemption of shares in Fairfield Sentry Limited in favor of Schroder dated September 22, 2008 (ANWAR-CFSE-00091423).

10. Attached hereto as Exhibit 8 in redacted form is a true and correct copy of a Redemption Request appearing to have been sent via facsimile, for the redemption of shares in Fairfield Sentry Limited in favor of Schroder dated September 25, 2008 (ANWAR-CFSE-00091424).

11. Attached hereto as Exhibit 9 is true and correct copy of the Fairfield Sigma Limited Short Form Subscription Agreement purportedly signed by Schroder on August 29, 2008 (ANWAR-CFSE-00137111 – ANWAR-CFSE-00137112). This exhibit was originally produced as part of a 229-page document. The full document is available upon request.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 11, 2022, in New York, New York.

/s/ Robertson D. Beckerlegge
Robertson D. Beckerlegge